

United States District Court  
District of Maryland

Rhl

UNITED STATES OF AMERICA

v.

CARL E. SCHULZ (1)

**JUDGMENT IN A CRIMINAL CASE**

(For **Revocation** with Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number: WDQ-00-0220

USM Number: 34144-037

Defendant's Attorney: ARTHUR CHESLOCK, ESQ.

Assistant U.S. Attorney: ROBERT HARDING

**THE DEFENDANT:**

- ☒ admitted guilt to violation of charges 2-5 in Notice of Violation dated 12/14/06 and charges 6-8 in Supplemental Notice dated 1/12/07 of the terms of supervised release.  
☐ was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

**Violation Number**

See above

**Nature of Violation**

Associating with known felons; failure to be truthful to probation officer;

See above

Failure to be truthful to probation officer, etc.

**Date Violation Occurred**

3/17/05, 1/5/06, 4/4/06

12/19/06 and 12/20/06

The defendant is adjudged guilty of the violation(s) listed above and sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 as modified by U.S. v. Booker, 125 S. Ct. 738 (2005).

- ☒ Supervised release is revoked.  
☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

**IT IS FURTHER ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

2/16/2007

Date of Imposition of Judgment

WILLIAM D. QUARLES, JR.  
U.S. DISTRICT JUDGE

Date

2/22/07

Name of Court Reporter: Sharon Cook

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### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of ten (10) months, concurrent with sentence imposed this date in criminal WDQ-07-074.

☒ The court makes the following recommendations to the Bureau of Prisons:  
That the defendant be designated to the FCI at Schuylkill, Pa. for service of his sentence.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender, at his/her own expense, to the institution designated by the Bureau of Prisons at the date and time specified in a written notice to be sent to the defendant by the United States Marshal. If the defendant does not receive such a written notice, defendant shall surrender to the United States Marshal:

☐ before 2 p.m. on \_\_\_\_\_.

**A defendant who fails to report either to the designated institution or to the United States Marshal as directed shall be subject to the penalties of Title 18 U.S.C. §3146. If convicted of an offense while on release, the defendant shall be subject to the penalties set forth in 18 U.S.C. §3147. For violation of a condition of release, the defendant shall be subject to the sanctions set forth in Title 18 U.S.C. §3148. Any bond or property posted may be forfeited and judgment entered against the defendant and the surety in the full amount of the bond.**

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
DEPUTY U.S. MARSHAL

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## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

### **The defendant shall comply with all of the following conditions:**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

#### **A. STATUTORY CONDITIONS OF SUPERVISED RELEASE**

- 1) The defendant shall not commit any federal, state or local crime.
- 2) In any felony case, the defendant shall not possess a firearm or ammunition as defined in 18 U.S.C. §921.
- 3) The defendant shall not illegally use or possess a controlled substance.
- 4) The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.  
☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- 5) Pursuant to Pub. Law 108-405, Revised DNA Collection Requirements under the Justice for All Act of 2004, if applicable, the defendant shall cooperate in the collection of DNA while incarcerated in the Bureau of Prisons, or as directed by the probation officer.
- 6) If this judgment imposes any criminal monetary penalty, including special assessment, fine, or restitution, it shall be a condition of supervised release that the defendant pay any such monetary penalty that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment. The defendant shall notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments.

#### **B. STANDARD CONDITIONS OF SUPERVISION**

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) The defendant shall support his or her dependents and meet other family responsibilities;
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) The defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) The defendant shall refrain from excessive use of alcohol;
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any persons convicted of a felony unless granted permission to do so by the probation officer;
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
- 12) The defendant shall notify the probation officer within 72 hours of being charged with any offense, including a traffic offense;
- 13) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the court;
- 14) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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**C. SUPERVISED RELEASE  
ADDITIONAL CONDITIONS**

1. **ACCESS TO FINANCIAL INFORMATION**

☒ The defendant shall provide the probation officer with access to any requested financial information.

2. That defendant continue to make restitution ordered by Judge Frederic N. Smalkin in the original Judgment and Commitment Order dated 8/16/2001.

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**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>Totals:</b>	\$ 200.00	\$	\$ See below

☒ If applicable, restitution amount ordered pursuant to plea agreement. . . . . \$1,511,351.40

**FINE**

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the 15th day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g).

☒ The court has determined that the defendant does not have the ability to pay a fine; therefore, a fine is waived.

☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived.

☐ The interest requirement is modified as follows:

**RESTITUTION**

☐ The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case will be entered after such determination.

☒ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
Bankers Trust Company as Trustee Att: Paul Liu, Vice President 1761 East St. Andrews Place Santa Ana, California 92705	\$823,918.34	54.5153%
John Bishop 2546 23 <sup>rd</sup> Street North Arlington, Virginia 22207	\$20,695.00	1.3693%
National City Mortgage (formerly Accubanc Mortgage) 12377 Merit Drive #600 Dallas, Texas 75251	\$25,200.00	1.6673%

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution Ordered</u></b>	<b><u>Priority Order or Percentage of payment</u></b>
Equivantage Mortgage 13111 Northwest Freeway, 5 <sup>th</sup> Floor Houston, Texas 77040	\$34,350.00	2.2728%
Bank of New York/Money Store Payee: Home Eq Servicing Corp 1100 Corporate Center Drive Raleigh, North Carolina 27607 Attn: Mail Code NC 4742	\$85,290.00	5.6432%
Altegra Credit Att: Legal Department 150 Allegheny Center Mall Pittsburgh, Pennsylvania 15212	\$81,700.00	5.4057%
Greenpoint Mortgage Funding Inc. Att: Rose Medina, Vice President 1100 Larkspur Landing Circle Suite 101 Larkspur, California 94939	\$82,073.20	5.4304%
Sterling National Mortgage Corp. Att: Legal Department 5516 Falmouth Street Suite 301 Richmond, Virginia 23230	\$60,785.46	4.0218%
Bank One, N.A. Trustee 9275 Sky Park Court San Diego, California 92123	\$53,375.00	3.5316%
Concorde Acceptance Corporation Att: Legal Department 7929 Brookriver Drive Suite 500 Dallas, Texas 75247	\$26,600.00	1.7600%
Companion Servicing Company LLC Attn: Legal Department P.O. Box 492079 Atlanta, Georgia 30349-2079	\$30,000.00	1.9849%
Wells Fargo Bank, N.A. (formerly Norwest Bank, N.A. Minnesota) Attn: Legal Department #6702 111 Sutter St. 20 <sup>th</sup> Floor San Francisco, CA 94163	\$38,455.00	2.5444%
U.S. National Bank, Association/Equicredit Attn: Jim Dodd, Chief Legal Counsel FL 9-100-06-09 900 Southside Blvd. Bldg 100 Jacksonville, Florida 32256	\$27,900.00	1.8460%

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<u>Name of Payee</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
First National Bank Association/Equicredit Attn: Jim Dodd, Chief Legal Counsel FL9-199-06-09 900 Southside Blvd., Bldg 100 Jacksonville, Florida 32256	\$13,074.39	0.8650%
Equicredit Attn: Jim Dodd, Chief Legal Counsel FL9-100-06-09 900 Southside Blvd., Bldg 100 Jacksonville, Florida 32256	\$75,035.07	4.9647%
Proctor Financial 295 Kiers Blvd Troy Michigan 48084 Attn: Claim, No. MVF 108713	\$32,900.00	2.1768%

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### SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☐ In full immediately; or
- B ☐ \$ \_\_\_\_\_ immediately, balance due (in accordance with C, D, or E); or
- C ☐ Not later than \_\_\_\_\_; or
- D ☐ Installments to commence \_\_\_\_\_ day(s) after the date of this judgment.
- E ☒ In equal weekly installments of \$ 100.00 over a period of three (3) year(s) to commence when the defendant is placed on supervised release.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Unless the court expressly orders otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment through the Bureau of Prisons' Inmate Financial Responsibility Program.

If the entire amount of criminal monetary penalties is not paid prior to the commencement of supervision, the balance shall be paid:

- ☐ in equal monthly installments during the term of supervision; or
- ☐ on a nominal payment schedule of \$ \_\_\_\_\_ per month during the term of supervision.

The U.S. probation officer may recommend a modification of the payment schedule depending on the defendant's financial circumstances.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States: